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6 In Re Ricoh Company, Ltd. Patent Litigation,
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9 NO. C 03-02289 JW

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11 **ORDER FOLLOWING CASE
MANAGEMENT CONFERENCE**

12 _____ /
13 On September 15, 2008, the Court conducted a case management conference. Counsel for
14 the respective parties were present. Based on the discussion at the conference, the Court orders as
15 follows:

16 (1) **On December 5, 2008 at 9 a.m.**, parties shall appear before the Court to present a
17 tutorial of the patent-in-suit. The purpose of the tutorial is to allow each party to inform the Court
18 about the background of the technical information which is involved in the case and the nature of the
19 dispute. Presentations may include demonstrations, expert testimony, or audio visual materials. No
20 cross-examination will be permitted. However, the Court may pose questions to parties or
21 witnesses. No record will be made of the proceedings. Statements made during the tutorial may not
22 be cited as judicial admissions against a party.

23 (2) **On January 23, 2009 at 9 a.m.**, the Court will conduct a hearing on Plaintiff's
24 anticipated Motion of Non-Infringement. Plaintiff shall notice this motion in accordance with the
25 Civil Local Rules of the Court. Once the briefing is closed, the moving party shall compile a three
26 ring binder (to be lodged with the Court) containing (a) the motion and any supporting memorandum
27 of law; (b) the opposition memorandum; (c) any reply memorandum; and (d) any exhibits in support
28 or opposition to the motion, which shall be clearly labeled. At the beginning of each binder the

1 moving party shall include, as appropriate, Chart A as described below; each statement shall be
 2 supported by appropriate citations to the motion papers and or exhibits.

3 **Chart A - Summary of Infringement/Non-Infringement Issues**

5 Patent Claim/Elements	6 Stipulated 7 Construction/Court 8 Construction	9 Accused Product	10 Defense Asserted
‘000 Patent, Claim 1			
an apparatus comprising	apparatus means: “a device which...”	Riverside Model 2	
1. a handle	“handle” means a part held by the human hand	Riverside Model 2	the product lacks a handle

11 (3) Electronic Storage of Exhibits: The Court has available a digital and video electronic
 12 evidence presentation system. The parties are ordered to familiarize themselves with the system,
 13 and to meet and confer about whether the case will involve voluminous documentation. If so, as the
 14 parties identify documentary material which is likely to be used as trial exhibits, the parties are
 15 ordered to electronically store these materials in a fashion which will facilitate displaying them
 16 electronically during the trial. The parties are reminded that Civil L.R. 30-2(b) requires sequential
 17 numbering of exhibits during depositions and that numbering must be maintained for those exhibits
 18 throughout the litigation. Each proposed exhibit shall be pre-marked for identification. All exhibits
 19 shall be marked with numerals. The parties shall meet and confer on a division which will avoid
 20 duplication (e.g., Plaintiff: 1-99,000; Defendant #1: 100,000-299,999; Defendant #2: 300,000-
 21 500,000).

22 (4) The Court refers the parties to the assigned Magistrate Judge for all discovery
 23 disputes.

25 Dated: October 2, 2008

26 
JAMES WARE
United States District Judge

United States District Court

For the Northern District of California

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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12 **Dated: October 2, 2008**

Richard W. Wieking, Clerk

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14 By: /s/ JW Chambers
15 Elizabeth Garcia
15 Courtroom Deputy

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